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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,339	08/23/2006	Hidehiko Shin	2006_1397A	6998
52349 7590 05/13/2008 WENDEROTH, LIND & PONACK L.L.P. 2033 K. STREET, NW SUITE 800 WASHINGTON, DC 20006				
EXAMINER				
LEE, JINHEE J				
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2175				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/590,339

Applicant(s)

SHIN ET AL.

Examiner

Jinhee J. Lee

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/86)
Paper No(s)/Mail Date 0806
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Drawings

1. Figure 1A should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

These figures are described as conventional Art in the specification.

2. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Specification

3. The disclosure is objected to because of the following informalities:

Abstract has an error, replace "The device resource control section controls of a

device resource" with "The device resource control section controls a device resource".

Deleted: of

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 16-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 16 and 17 seem to be claiming both the product and process. This is confusing. Applicant must claim the claim as a program, which is a product claim, or a process, which would be a method claim (e.g. method comprising steps of interpreting, etc.) Clarify.

Claim 17 is missing "comprising". This is confusing, since it is difficult to determine the preamble of the claim. Clarify.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 1-11 and 16-17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Re claims 1-11 and 16-17, claims 1-11 and 16-17 fails to fall within a statutory category of invention. They are directed to a program itself, not a process occurring as a result of executing the program, a machine programmed to operate in accordance with the program nor a manufacture structurally and functionally interconnected with the program in a manner which enables the program to act as a computer component and realize its functionality. They are also clearly not directed to a composition of matter. Therefore, they are non-statutory under 32 USC 101.

The storage section of the application seems to also include ROM, RAM as well as network, which is not a physical device.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Shin et al. (5801696).

Re claim 1, Shin et al. discloses a display process device for displaying a screen on a display comprising:

an information storage section (storage device for example) for storing screen definition information (385 and 390 for example) defining a correlation between a screen displayed on the display and an action corresponding to an instruction indicated in the screen;

a screen definition information interpretation section (100 for example) for interpreting the screen definition information, generating a screen which is to be displayed on the display, and, in accordance with an instruction given thereto, issuing a first screen event for the action corresponding to the instruction;

a first event conversion section (395 for example) for converting the first screen event to a first device event, which may be interpreted and executed by a device resource retained by the display process device; and

a device resource control section (360, 370 for example) for controlling the device resource based on the first device event converted in the first event conversion section (see figure 4 for example).

Re claim 2, Shin et al. discloses a display process device, wherein the device resource control section issues a result of a modification in a screen caused by the device resource control section controlling the device resource, based on the first device event, as a second device event (see column 10 lines 51-57 according to the numbering in the middle for example), and

further comprises a second event conversion section for converting the second device event to a second screen event, which may be interpreted and executed by the screen definition information interpretation section, and

the screen definition information interpretation section modifies a screen, which is to be displayed on a display, based on the second screen event converted in the second event conversion section (see column 10 lines 47-55 for example).

Re claim 3, Shin et al. discloses a display process device, wherein the device resource control section issues a result of a modification in the screen caused by the device resource control section controlling the device resource, based on the first device event, as a second device event, and the device resource control section further comprises a second event conversion section for directly converting the second device

event to a screen which is to be displayed on the display (see column 10 lines 47-57 for example).

Re claim 4, Shin et al. discloses a display process device, further comprising a view section for giving to the first event conversion section the first screen event issued by the screen definition information interpretation section (see 310 for example).

Re claim 5, Shin et al. discloses a display process device, further comprising a view section for giving to the first event conversion section the first screen event issued by the screen definition information interpretation section, and for giving to the second event conversion section the second device event issued by the device resource control section (see 310 for example).

Re claim 6, Shin et al. discloses a display process device, further comprising a view section for giving to the first event conversion section the first screen event issued by the screen definition information interpretation section, and for giving to the second event conversion section the second device event issued by the device resource control section (see 310 for example).

Re claim 7, Shin et al. discloses a display process device, wherein the screen definition information may be updated via the screen definition information interpretation section (see column 10 lines 20-24 for example).

Re claim 8, Shin et al. discloses a display process device, wherein the screen definition information interpretation section may be updated via the view section (see column 10 lines 3-5 for example).

Re claim 9, Shin et al. discloses a display process device, wherein the first event conversion section may be updated via the view section (see column 10 lines 3-5 for example).

Re claim 10, Shin et al. discloses a display process device, wherein the second event conversion section may be updated via the view section (see column 10 lines 3-5 for example).

Re claim 11, Shin et al. discloses a display process device, wherein the second event conversion section may be updated via the view section (see column 10 lines 3-5 for example).

Re claim 12, Shin et al. discloses a display process method for displaying a screen on a display comprising:

an interpretation step (at storage device for example) for interpreting a predetermined screen definition information defining a correlation between a screen displayed on the display and an action corresponding to an instruction indicated in the screen, and for generating a screen which is to be displayed on the display;

a first issuance step (at 100 for example) for interpreting the screen definition information, and for issuing a first screen event for an action corresponding to the instruction;

a first conversion step (at 395 for example) for converting the first screen event to a first device event, which may be interpreted and executed by a predetermined device resource; and

a control step (at 360, 370 for example) for controlling the device resource based on the first device event converted by the first conversion step (see figure 4 for example).

Re claim 13, Shin et al. discloses a display process method, further comprising: a second issuance step for issuing a result of a modification in a screen caused by the control step controlling the device resource, based on the first device event, as a second device event; and a second conversion step for converting the second device event to a second screen event, which may be interpreted and executed in the interpretation step, wherein the interpretation step modifies a screen which is to be displayed on the display based on the second screen event (see column 10 lines 47-57 for example).

Re claim 14, Shin et al. discloses a display process method, further comprising: a second issuance step for issuing a result of a modification in a screen caused by the control step controlling the device resource, based on the first device event, as a second device event; and a second conversion step for directly converting the second device event to a screen which is to be displayed (see column 10 lines 47-57 for example).

Re claim 15, Shin et al. discloses a display process method further comprising a step for updating the screen definition information (see column 10 lines 20-24 for example).

Re claim 16 (as best understood), Shin et al. discloses a computer-readable program for causing a display process device to execute a display process method

which is for causing a screen to be displayed, wherein the program causes the display process device to execute:

an interpretation step (at storage device for example) for interpreting a predetermined screen definition information defining a correlation between a screen displayed on a display, and an action corresponding to an instruction indicated in the screen, and for generating a screen which is to be displayed on the display;

a first issuance step (at 100 for example) for interpreting the screen definition information, and for issuing a first screen event for the action corresponding to the instruction;

a first conversion step (at 395 for example) for converting the first screen event to a first device event, which may be interpreted and executed by a predetermined device resource; and

a control step (at 360, 370 for example) for controlling the device resource based on the first device event converted by the first conversion step (see figure 4 for example).

Re claim 17, Shin et al. discloses a program further comprising: a second issuance step for issuing a result of a modification in a screen caused by the control step controlling the device resource, based on the first device event, as a second device event; a second conversion step for converting the second device event to a second screen event, which may be interpreted and executed in the interpretation step; wherein the interpretation step modifies a screen which is to be displayed on the display based on the second screen event (see column 10 lines 47-57 for example).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinhee J. Lee whose telephone number is 571-272-1977. The examiner can normally be reached on M- F at 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-2100 ext. 75. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jinhee J Lee/
Primary Examiner, Art Unit 2175